GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – MA&UD Department – Eluru Municipal Corporation – Allegation of committing irregularities in allowing the unauthorized constructions by violation of rules and regulations in Eluru Municipal Corporation, erstwhile West Godavari District - Departmental proceedings initiated against Sri P.N.S. Sai Babu, the then TPO (now Retired), Eluru Municipal Corporation under Rule-20 of A.P. Civil Services (Classification, Control and Appeal) Rules, 1991 - Inquiry conducted – Charges are proved - Imposing a penalty of " withholding of 3% pension for a period of 2 years " – Orders – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (VIG.II) DEPARTMENT

G.O.Rt.No.90 **Dated.24.01.2024.**

Read the following:

1) From the Director General, G.A. (V&E) Department, Vigilance Report No.162(C.No.1262/V&E- D1/07), dated 11.12.2007.
2) GO.Rt.No.74, MA&UD (E1) Dept., dt.20.01.2010.
3) Served copy in respect of Sri P.N.S. Sai Babu, the then TPO (now Retired), received through RDDTCP , Lr.L:Dis.No.903/2010/S, dt.10.09.2010.
4) GO.Rt.No.394, MA&UD(E1) Dept., dt.18.03.2013.
5) GO.Rt.No.658, MA&UD(Vig.II) dept., dt.19.09.2017
6) G.O.Rt.No.264, MA&UD (Vig.II) Department, dated.19.03.2018.
7) From the Inquiry Officer, Letter Rc.No.09/2020/CPPeshi/Enquiry, dated 23.05.2020.
8) Govt.Memo.No.3717/Vig.I.-2/2008, dated 04.05.2021.
9) Written representation of Sri P.N.S. Sai Babu, the then TPO (now Retired) dated.14.07.2021
10) Show cause Notice issued to Sri P.N.S. Sai Babu, the then TPO (now Retired), Govt.Memo.No.3717/Vig.III/2008, dated 22.09.2022.
11) Explanation of Sri P.N.S. Sai Babu, the then TPO (now Retired), dt: 28.04.2023
12) G.O.MS.No.124, GA(SER.A) Dept., dt.04.12.2023.

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O R D E R:-

Based on the recommendations of Director General, Vigilance & Enforcement Department made in the reference 1st read above, Government initiated disciplinary proceedings by framing articles of charges under Rule – 20 of A.P.C.S (CC&A) Rules, 1991 on the allegations of committing irregularities in allowing the unauthorized constructions by violation of rules and regulations in Eluru Municipal Corporation, erstwhile West Godavari District against Sri P.N.S. Sai Babu, the then TPO (now Retired), Eluru Municipal Corporation with a direction to submit his written statement of defense, vide reference 2nd read above.

2. After following the procedure, Government appointed Sri. S.Bala Krishna, Chief City Planner, GVMC., Visakhapatnam, as an Inquiry Officer in the matter vide reference 4th read above. Subsequently, Government appointed Sri B.Balaji, Zonal Joint Director, APCRDA, and later Smt.R.J.Vidyullatha, Chief City Planner, Greater Visakhapatnam Municipal Corporation, Visakhapatnam was appointed as an Inquiry

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Officer to conduct Inquiry into the charges framed against the charged officers in the references 5th and 6th read above respectively.

3. The Inquiry Officer conducted inquiry and submitted the Inquiry Report vide 7th read above. As per the findings of the Inquiry Officer all the (3) charges framed against the charged officer Sri P.N.S. Sai Babu, the then TPO (now Retired), Eluru Municipal Corporation are held proved.

4. Government after careful examination of the Inquiry Report, submitted by the Inquiry Officer, have accepted the findings of Inquiry Officer.

5. In the reference 8th read above, a copy of inquiry report was communicated to the charged officer, among others, with a direction to submit his written representation, if any, on the findings of the Inquiry Officer to the Government, in terms of Rule 21 (2) of APCS (CCA) Rules, 1991 and the charged officer Sri P.N.S. Sai Babu, the then TPO (now Retired), Eluru Municipal Corporation submitted his written representation vide reference 9th read above wherein among others, he stated that he worked for a period of (9) months in Eluru and it is difficult to remove the violation / deviation of a completed and occupied building in similar corporations which were subsequently regularized under BPS and requested to drop further action in the matter.

6. Government have examined the written representation of the Charged Officer, keeping in view of the findings of the Inquiry Officer and have provisionally decided to impose a penalty of "withholding of 3% pension for a period of two (2) years" against Sri P.N.S. Sai Babu, the then TPO (now Retired), Eluru Municipal Corporation., as it has been observed that (9) months period is a shorter period and it may not possible to take ll steps in the matter, but it is fact that he failed to monitor the subsequent action, after conviction of the owner in the court of Law and failed in his primary duty.

7. In the reference 10th read above, a show cause notice has been issued to the charged officer, as to why the said penalty shall not be imposed on him. In the reference 11th read above, the charged officer has submitted his explanation and requested to drop all the charges framed against him.

8. Government after examination of the matter, keeping in view of the findings of Inquiry Authority and written representation of the C.O., have decided to impose a penalty of "withholding of 3% pension for a period of two (2) years" against Sri P.N.S. Sai Babu, the then TPO (now Retired), Eluru Municipal Corporation; as he failed in his primary duty.

9. Accordingly, the Government hereby impose a penalty of "withholding of 3% pension for a period of two (2) years" against Sri P.N.S. Sai Babu, the then TPO (now Retired), Eluru Municipal Corporation; under Rule 9 of A.P. Revised Pension Rules, 1980.

10. The Director of Town & Country Planning, A.P., Mangalagiri shall take necessary further action in the matter accordingly.

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11. The receipt of the G.O., shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Y. SRILAKSHMI
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri P.N.S. Sai Babu, the then TPO (now Retired), Eluru Municipal Corporation
- **through** the DTCP, A.P., Mangalagiri.
The Director of Town & Country Planning, A.P., Mangalagiri.

Copy to:
The Director General, G.A. (V&E) Department, A.P., Vijayawada.
The Secretary to A.P. Vigilance Commission, 5th Block, A.P. Secretariat.
The Principal Accountant General (A&E), A.P., Vijayawada.
The Pay and Accounts Officer,
Plot. No. 11, KJ Systems Building,
Near APIIC IT Park, Mangalagiri.
SF/SCs.

//FORWARDED BY ORDER//

SECTION OFFICER.